

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

January 5, 1998

A. CALL TO ORDER

The January 5, 1998, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President, who presided over this meeting until the nomination and election of the new Board President.

James Albert Riley, the DeSoto County Sheriff was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Jessie Medlin-----District 1
Eugene C. Thach-----District 2
James D. Pearson-----District 3
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
James Albert Riley-----Sheriff
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. APPROVAL OF DECEMBER MINUTES

The official minutes of the Board of Supervisors were read for the month of December, 1997. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the minutes of the Board of Supervisor's for December, 1997 as presented this date pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. The vote was unanimous. The **motion passed.**

D. REQUEST FOR TAX EXEMPTIONS

1. Mazda - Freeport Exemption

Jim Flanagan of the DeSoto Council spoke to the Board of Supervisors on behalf of Mazda, who was not represented by a company spokesperson. Mr. Flanagan said that Mazda has applied for a Freeport exemption, as was part of their inducement package when choosing to locate their facility in DeSoto County.

Jim Flanagan forwarded a recommendation from the Tax Advisory Committee. Mazda has a starting wage at \$11.50 per hour and an average wage of \$12.50 per hour.

Item __. Continued,

Supervisor John Caldwell asked if this application meets the new guidelines established for these exemptions. Jim Flanagan said that it does.

Supervisor Eugene Thach asked if it is getting hard for lower paying companies to get employees in DeSoto County. Jim Flanagan said yes.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the Freeport tax exemption for Mazda as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. **See Exhibit D.1.**

2. Sherwin Williams - Freeport Exemption

Russ Livingston of Sherwin Williams, and Jim Flanagan appeared before the Board of Supervisors to request a Freeport tax exemption. Mr. Flanagan explained that this request is the result of the recent acquisition of Sherwin Williams of the formerly known Thompson/Minwax. As with all name changes a new approval of the tax exemption has to be granted. Mr. Livingston said that Sherwin Williams employees approximately 350 employees at an average wage of \$12.85 per hour. Mr. Livingston said this company started in 1973 as a wood working shop. He reported that they are happy to be part of Sherwin Williams, who are the largest paint manufacturer in the country.

Supervisor Eugene Thach asked if they make the paint in Olive Branch. Mr. Livingston answered that one line of paint is currently made at the DeSoto County facility, with plans to add more lines in May.

Jim Flanagan said that Russ Livingston is the former chairman of the DeSoto County Literacy Council. Supervisor Tommy Lewis commended Mr. Livingston for his involvement in DeSoto County.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the Freeport tax exemption for Sherwin Williams as recommended by the Tax Advisory Council. The **motion passed** by a unanimous vote. **See Exhibit D.2.**

3. Fleming Company - Freeport Exemption

Roger Plunk of Fleming Company and Jim Flanagan of the DeSoto Council appeared before the Board of Supervisors requesting a Freeport tax exemption. Mr. Plunk told the Board of Supervisors that Fleming acquired Malone and Hyde in 1988. They are happy with their involvement in DeSoto County. Jim Flanagan said this Freeport exemption request has been recommended by the Tax Advisory Committee. Mr. Plunk said they have 475 associates at an average wage of \$11.20 per hour. They serve eight states and 60% of their employees are from Mississippi.

Supervisor Eugene Thach asked if Fleming is still paying money in lieu of tax? Roger Plunk said yes.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the Freeport tax exemption for Fleming Company as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. **See Exhibit D.3.**

4. American National Can - Real & Personal Property Exemption

Jim Flanagan of the DeSoto Council and a representative of the American National Can Company appeared before the Board of Supervisors to present a recommendation from the Tax Advisory Committee for a tax exemption on real and personal property. American National Can located in DeSoto County in 1988 and began making four million cans per day. They are now making seven million cans per day. They work four 12 hour days each week. The company recently added 180 thousand square feet to the building.

Supervisor Jessie Medlin said that American National Can is a good company the DeSoto County is glad to have them. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the tax exemption on real and personal property as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. **See Exhibit D.4.**

E. OLD BUSINESS

1. Board Attorney - Update on Solid Waste Program

The Board Attorney, William Austin said he has reviewed the Solid Waste Plan with the County Administrator, and has initiated a call to identify the costs to update the Solid Waste Plan.

2. T. H. Walker - Report on VESSG

T. H. Walker of DeSoto County Civil Defense appeared before the Board of Supervisors to report that through November \$14,593.00 was paid to DeSoto County from VESSG. In addition, \$1,768.00 was collected over and above the amount VESSG collects for pictures. Mr. Walker estimates that this money was collected from more than 150 people with less than 10 complaints.

Mr. Walker received a report just before this meeting showing that as of the end of December, Civil Defense has collected \$19,036.00 from VESSG. An additional \$2,211.00 was donated over the picture amount from which VESSG will get 100%.

Supervisor Eugene Thach verified that a collection agency gets 50% of the collections. T.H. Walker said yes. Supervisor John Caldwell said this percentage is not bad, but it looks like the County is collecting this money. Supervisor Thach said it looks like the County is not providing for its needs.

T. H. Walker said VESSG is reviewing this. Supervisor Jessie Medlin asked who the citizens make their check out to?

T. H. Walker said there are certain needs in Civil Defense that they cannot provide with County funds, such as feeding emergency workers and training.

Supervisor Eugene Thach asked how much the County has received from VESSG? Mr. Walker said the County has not received this money, but VESSG has paid the county expenses for us.

The Board Attorney asked if VESSG bought a monitor for the Civil Defense computer? T. H. Walker said yes. Mr. Austin asked if this was put on the

Item ____ Continued,

County's inventory? Mr. Walker said he will check. Mr. Austin said that any goods should be added to inventory. Supervisor Jessie Medlin asked of the Board of Supervisors should accept the property? Supervisor Eugene Thach asked about repairs. Are they for County equipment? T. H. Walker said yes, and that he is able to save money from his budget by using these funds from VESSG.

Supervisor Tommy Lewis said we need to encourage that without misleading the taxpayers about the collections. Mr. Walker said he had encourage a public notice or release in the paper. Supervisor John Caldwell said this should help.

T. H. Walker asked the Board's approval to allow them to continue to correct the problem. If they cannot correct the problems, Civil Defense will make other arrangements. Mr. Walker said he does not want to put the Board or the County in an embarrassing situation.

Supervisor Jessie Medlin suggested establishing a list of things Civil Defense needs that cannot be bought with County funds. Supervisor Medlin also suggested having the company give a once a year donation. The Board Attorney said to do so would put Civil Defense in a position to not provide things that cannot be paid from County funds.

Sheriff James Albert Riley said his office does not have anything to do with these funds, and none of his bills are paid with these donations.

T. H. Walker asked if he can get VESSG to reword their brochure and present the changes for approval by the County Administrator or Board Attorney.

Supervisor Tommy Lewis asked how long before Mr. Walker can be back in front of the Board of Supervisors with the changes. Mr. Walker said ten days.

Supervisor Tommy Lewis asked for a list of everything on inventory. **See Exhibit E.2.**

F. NEW BUSINESS

1. Dale Thompson, Comptroller

a. Disposition of Claims Docket

Comptroller Dale Thompson presented the claims docket showing each departments' standing as of December 31, 1997. In accordance with Section 19-13-31 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to pay the bills as presented by the Comptroller, with the addition of the following at the Comptroller's recommendation:

1. A late travel voucher for the Tax Collector, Joey Treadway in the amount of \$245.21;
2. A petty cash request for undercover agents in Metro Narcotics in the amount of \$500.00.

The **motion passed** by a unanimous vote.

Use of Central Maintenance Equipment for County Jobs

Supervisor Jessie Medlin notified that County Administrator that Central Maintenance has a jack hammer that can be used on County maintenance jobs in lieu of renting such machinery.

Request for E911 Accounting Report

Supervisor Eugene Thach requested an accounting of finances in E911. The Board Attorney said there is a push at the State level for 911 funds to go to Jackson for reimbursement. This change would cost DeSoto County more than half of the current amount if this change is implemented.

Clovis Reed, the County Administrator said he has gone through the budget by line item and everyone is within budget with few exceptions. This review did not include the items presented in this claims docket.

Procedures for Bond Proceeds

County Administrator Clovis Reed said the accounting structure has to be ironed out. William Austin, the Board Attorney said the funds can either be handled by a periodic sum total draw, or by line items being sent to the trustee for payment.

Supervisor Tommy Lewis said the bills should come before the Board of Supervisors since that is who is responsible for the funds. Dale Thompson said the money is due January 15.

b. Investment of Surplus Funds

This item was held over to avoid a possible duplication.

c. Budget Transfer

This item was included on the Claims Docket. **See Exhibit F.1.c.**

2. Appointments and Organization of the Board

In accordance with Section 19-3-7 of the Mississippi Code Annotated, which states that the members of the Board of Supervisors, having given bond and taken the oath of office, shall meet at the courthouse of their county, on the first Monday in January next succeeding the election, and shall organize by electing one of their number to be president, and by electing one of their number to be vice-president, and being so organized, and attended by the sheriff and clerk, the board may proceed to discharge its duties. Therefore,

Supervisor Eugene Thach nominated by motion and Supervisor Jessie Medlin seconded the nomination to approve Supervisor Tommy Lewis to serve as president for a term expiring after January 4, 1999. The **motion passed** by a unanimous vote. The new Board President, Supervisor Lewis and the 1997 Board President, Supervisor Caldwell exchanged places with Board President Lewis presiding over the remainder of the meeting.

Supervisor Eugene Thach nominated by motion and Supervisor Jessie Medlin seconded the motion to approve Supervisor James Pearson as Vice-President of the Board of Supervisors. The **motion passed** by a unanimous vote.

Item . Continued,

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the list of appointments as presented with these changes:

<u>APPOINTMENT</u>	<u>NEW APPOINTEE</u>
Supervisor Tommy Lewis	Mississippi Area of Government
Supervisor John Caldwell	Mid State Opportunity Board of Directors
Vacant - Minority Representative	North Delta Planning & Development
Vacant - Municipal Representative	North Delta Planning & Development
Daniel Murphy	County Engineer
Tony Bishop	Port Commission

The **motion passed** by a unanimous vote.

3. Approve bonds of all newly appointed officials

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the bonds of appointed officials as follows:

<u>Appointment/Commission</u>	<u>Name</u>	<u>Term Expires</u>
Walls Sewer District	Lucille Thomas	1/2/99
	Mary Ann Guthrie	1/2/99
Port Commission	Jimmy C. Carson	1/2/99
	Carl Thomas Koehler	7/1/01
	Tony Bishop	
	Paul D. Whitfield	7/1/98
Horn Lake Creek Interceptor Sewer District Bd of Comm	Tom Arnold	5/3/01
	Ernest M. Peak	5/3/98
Justice Court Clerk	Linda Aldridge	
	Judy O’Neil	
	Vacant	
	Barbara Flynn	

The **motion passed** by a unanimous vote.

4. Justice Court Report

The DeSoto County Justice Court Clerk, Linda Aldridge, did meet with the Board of Supervisors and presented the Justice Court Report for the month of December 1997, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to accept the Justice Court Report for the month of December, 1997. The vote was unanimous. The **motion passed. SEE EXHIBIT F.4.**

Item Continued,

5. Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, Mississippi Code of 1973, Annotated, Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to pay Jerry Easley the amount of \$160.00 for the month of December, 1997; to pay Tommy Carr the amount of \$240.00 for the month of December, 1997; to pay Joe Holmes the amount of \$160.00 for the month of December, 1997, for their service as bailiff for DeSoto County Justice Court. The **motion passed** by a unanimous vote. **SEE EXHIBIT F.5.**

6. Approval of Travel

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of January 5, 1998, to February 2, 1998, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling.

Supervisor Eugene Thach made the motion to authorize travel for all officials and employees of DeSoto County for the period of January 5, 1998, to February 2, 1998. Supervisor James Pearson seconded the motion. The **motion passed** by a unanimous vote.

7. Approval of Seized Weapons Inventory & Disposition - Metro Narcotics

In accordance with the provisions set out in Section 67-1-93 of the Mississippi Code, Supervisor John Caldwell made the motion to accept the inventory of seized weapons and the disposition thereof. The **motion passed** by a unanimous vote. **See Exhibit F.7.**

8. Kenny Gunn, Road Manager

a. Monthly Road Report and Work Schedule

Road Manager Kenny Gunn met with the Board of Supervisors to present the Road Department Monthly Road Report for the Month of December 1997, and Work Schedule for the month of January 1998, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the Road Report for December 1997 and Work Schedule for January, 1998. The **motion passed** by a unanimous vote. **SEE EXHIBIT 8.a.**

b. Four Year Road Plan

This item was held over. See Item H. for the discussion of roads in DeSoto County.

9. MEA Drug Testing Contract Renewal

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the contract with MEA for Drug Testing as presented by the County Administrator. The **motion passed** by a unanimous vote. **See Exhibit F.9.**

10. Approval to Advertise for Publication of Board Proceedings

In accordance with Section 19-3-33 of the Mississippi Code Annotated, which states that the Board of Supervisors may have its proceedings published in some newspaper published in the county, and cause the same to be paid for out of the county treasury, but the costs of such publication shall not exceed the sum fixed by law for publishing legal notices. If there be more than one newspaper published in the county, the contract for publishing the proceedings, if made, shall be let to the lowest bidder among them. Therefore,

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve going out for bids for publication of Board proceedings in accordance with the aforementioned Code. The **motion passed** by a unanimous vote.

11. BFI Rate Increase

County Administrator Clovis Reed presented a copy of a letter he has received from BFI explaining a rate increase to take effect January 1, 1998. The letter states this increase is in line with CPI. Supervisor Eugene Thach asked Mr. Reed to verify the increase is in line with CPI.

Supervisor John Caldwell pointed out that complaints are low compared to this time last year.

Supervisor Jessie Medlin said from his observations BFI should close the lids on the cans and do a better job of getting them out of the road.

County Administrator Clovis Reed said that compared to other areas, DeSoto County has a good deal with BFI. The Board of Supervisors asked the County Administrator to notify BFI of the low complaint rate and request they close the lids and get the cans out of the roadway better.

Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to approve the residential rate increase from BFI from \$5.32 to \$5.42 as long as the increase is in line with the regional CPI. The **motion passed** by a unanimous vote.

G. EXECUTIVE SESSION

See the portion of the minutes called "Executive Session."

H. OTHER ISSUES

1. Road off Vaiden Road

Supervisor Tommy Lewis notified the Board of Supervisors that all right of ways have been obtained for the road off Vaiden that is in the process of being taken in by the County except for one, which is expected to be received tonight.

2. Getwell Road, South of Holly Springs

Supervisor Tommy Lewis asked the Road Manager, Kenny Gunn, what the schedule is to work on Getwell Road south of Holly Springs. Mr. Gunn said they have to wait for the road to dry up from the rains.

3. Central Maintenance - Bids for Mower

The Road Manager, Kenny Gunn, notified the Board of Supervisors that the bids for mowers were recently opened and Baker & Powell got the bid. Mr. Gunn said the Baker and Powell did not bid a lease purchase. Supervisor Tommy Lewis asked how this bid compares with the mower bid last year. Kenny Gunn responded that they were near the same amount. Mr. Gunn said he supports paying for the mowers over two years. Supervisor Jessie Medlin

Item __. Continued,

asked how many mowers Mr. Gunn will purchase? Kenny Gunn said two.

Supervisor James Pearson made the motion and Supervisor Tommy Lewis seconded the motion to approve buying two mowers at the low bid from Baker & Powell. The **motion passed** by a unanimous vote. **See Exhibit H.3.**

4. Central Maintenance - Bids for Dozer

Kenny Gunn said that bids were received for a dozer to replace the dozer that burned up when it was turned over. The County Administrator, Clovis Reed asked if insurance would cover this loss. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to take the bid under advisement for the dozer, to allow the County Administrator to determine if the loss is covered by insurance. The **motion passed** by a unanimous vote.

5. Road Safety - Getwell & Church Roads

Supervisor Jessie Medlin notified the Board of Supervisors that the County Engineer, Daniel Murphy said the State Aid does not mind if rumble strips are put down on a state aid highway if safety is a hazard.

Supervisor Eugene Thach asked what the County's responsibility is to maintain a state aid road in a municipality? The Board Attorney said that it is the County's. Supervisor Tommy Lewis said someone should assume the responsibility of safety on these roads.

Supervisor Eugene Thach said that the County Engineer, Daniel Murphy has talked to him and Kenny Gunn about trying a new road bed on this road to see if the road holds up, as this may be cost effective for the County in the long run. Supervisor John Caldwell said suggested asking the city to share in the cost of putting the soil cement on the road.

Supervisor Tommy Lewis asked who is responsible to get with the City of Southaven about marking the road? The Road Manager, Kenny Gunn said he will, and will report back to the Board of Supervisor on Wednesday, January 7, 1998.

6. Grant Money Available

The County Administrator notified all present that grant money may be available for clubs and organizations or students who wish to make a contribution to the County and need funding to do so, up to \$1,000.00.

7. Road Clean-Up

Supervisor John Caldwell said he is in favor of hiring someone to clean up the roadsides in the County. Supervisor Caldwell asked the Director of Administrative Services to research options for grant money to fund this position.

Supervisor Eugene Thach suggested encouraging county workers in trucks to pick up garbage on the roadsides as needed.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion for County employees, who are not doing a job requiring their immediate attention, to pick up trash on the roadsides. The **motion passed** by a unanimous vote.

8. DeSoto Council - Year End Progress Report

Jim Flanagan of the DeSoto Council presented a year end progress report for the Board of Supervisors review. **See Exhibit H.8.**

Item . Continued,

Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to recess until Wednesday, January 7, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the 5th day of January, 1998, these minutes have been read and approved by the DeSoto County Board of Supervisors.

TOMMY LEWIS, President
DeSoto County Board of Supervisors